

# Exhibit 11

In the U.S. District Court  
District of Columbia

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:  
Shabtai Scott Shatsky, et :  
al :  
:  
v. :NO. 1:02cv02280  
:  
The Syrian Arab Republic, :  
et al :  
:  
-----X

February 6, 2013

DEPOSITION OF:

Leor Thaler,

a witness, called by counsel pursuant to notice,  
commencing at 9:07 a.m., which was taken at Miller  
and Chevalier, 655 15th Street, NW, Washington, DC  
20005-5701

**LEOR THALER DEPOSITION****February 6, 2013****Shatsky v. Syrian**

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<p>1                   Appearances</p> <p>2   Robert J. Tolchin, Esq.</p> <p>3   The Berkman Law Office, LLC</p> <p>4   111 Livingston Street, suite 1928</p> <p>5   Brooklyn, NY 11201</p> <p>6   for plaintiffs</p> <p>7</p> <p>8   David I. Schoen, Esq.</p> <p>9   2800 Zelda Road, suite 100-6</p> <p>10   Montgomery, AL 36106</p> <p>11   for plaintiffs</p> <p>12</p> <p>13   Norman Steiner, Esq.</p> <p>14   233 Broadway, suite 900</p> <p>15   New York, NY 10279</p> <p>16   for the plaintiffs</p> <p>17</p> <p>18   Miller and Chevalier</p> <p>19   Richard A. Hibey, Esq.</p> <p>20   Brian Hill, Esq.</p> <p>21   Mark J. Rochon, Esq.</p>	<p>1                   INDEX OF EXAMINATIONS</p> <p>2   WITNESS                                   PAGE</p> <p>3</p> <p>4   Leor Thaler</p> <p>5</p> <p>6   Direct Examination By Mr. Hill                   5</p> <p>7</p> <p>8   Cross-Examination By Mr. Steiner                   169</p> <p>9</p> <p>10   Redirect Examination By Mr. Hill                   171</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>
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<p>1   Charles F.B. McAleer, Esq.</p> <p>2   655 15th Street NW</p> <p>3   suite 900</p> <p>4   Washington, DC 20005-5701</p> <p>5   for the Palestinian Authority</p> <p>6   and the Palestine Liberation Organization</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>	<p>1                   (Whereupon the matter commenced at</p> <p>2   9:07 a.m.)</p> <p>3                   Stipulations</p> <p>4                   (It is stipulated and agreed by and</p> <p>5   between counsel for the respective parties that</p> <p>6   the reading and signing of this transcript by the</p> <p>7   witness are not waived.</p> <p>8                   It is further stipulated and agreed</p> <p>9   that the filing of this transcript with the clerk</p> <p>10   of the court be and the same is hereby waived.)</p> <p>11                   * * * * *</p> <p>12</p> <p>13   Whereupon,</p> <p>14                   Leor Thaler</p> <p>15</p> <p>16   was called for examination by counsel and,</p> <p>17   after having been duly sworn, was examined</p> <p>18   and testified as follows:</p> <p>19   DIRECT EXAMINATION:</p> <p>20   BY MR. HILL:</p> <p>21   Q. Please tell me your full name.</p>



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1 A. Leor Thaler.

2 Q. Do you have any middle names?

3 A. Phillip.

4 Q. Have you ever been known by any other  
5 names?

6 A. No.

7 Q. What's your date of birth?

8 A. [REDACTED] 1987.

9 Q. Mr. Thaler, I know you've been deposed  
10 before but let's go over the ground rules so you  
11 understand what will happen here today.

12 I'll ask questions. You'll give answers.  
13 Everything that's said will be taken down by the  
14 court reporter, Mr. Feuer.

15 During the course of the day I may ask a  
16 question that you don't understand. If that happens  
17 please let me know and I'll try and rephrase it so  
18 you can understand it.

19 A. Okay.

20 Q. During the course of the day Mr. Steiner  
21 may make an objection. If that happens please wait

1 A. Yes.

2 Q. Would you tell me what medications you are  
3 currently on?

4 A. Abilify, Lemictal.

5 Q. What does Abilify treat you for?

6 A. I don't know exactly. It's – I don't  
7 remember what exactly the purpose of it is.

8 Q. Is this an antipsychotic drug?

9 A. I think it is.

10 Q. Was it prescribed for you by a  
11 psychiatrist?

12 A. Yes.

13 Q. How long have you been taking that  
14 medication?

15 A. For a year.

16 Q. You are on Lemictal?

17 A. Yes.

18 Q. What condition does that treat?

19 A. I don't know how to say it in English.

20 It's a mood stabilizer.

21 Q. Was that also prescribed for you by your

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1 until he finishes speaking and then unless he tells  
2 you not to answer the question, please go ahead and  
3 answer the question.

4 A. Okay.

5 Q. During the course of the day I will  
6 probably ask a question and you know what the  
7 question is and you know what the answer is and  
8 there will be a temptation to interrupt me and go  
9 ahead and give the answer.

10 Try and resist doing that because it makes  
11 it hard for Mr. Feuer to take things down if we're  
12 both talking at the same time.

13 Is there any reason you won't be able to  
14 give full and truthful testimony here today?

15 A. No.

16 Q. Are you taking any medication that would  
17 impair your ability to understand me or tell the  
18 truth?

19 A. No.

20 Q. Are you, in fact, taking any medication  
21 today?

1 psychiatrist?

2 A. Yes.

3 Q. How long have you been taking that  
4 medication?

5 A. For a year and a half.

6 Q. Have you continuously been on those  
7 medications for those periods of time?

8 A. I switched a few different times  
9 medication but now this is the medication I'm  
10 taking.

11 Q. Do you believe that these medications have  
12 helped to prevent you from having psychotic  
13 episodes?

14 MR. STEINER: Objection, there's no  
15 testimony he has had psychotic episodes. That's  
16 your characterization.

17 BY MR. HILL:

18 Q. Answer, please.

19 A. I never been in a psychotic condition so I  
20 wouldn't say that.

21 Q. Do you believe that taking these



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1 medications has helped stabilize your moods?

2 A. Yes.

3 Q. If at any point during the course of the  
4 day you need a break, let me know and we'll be happy  
5 to do that.

6 A. Yes.

7 MR. HILL: Mr. Steiner, I know the  
8 witness speaks English.

9 Since there's not a videotape here I'd  
10 ask that you address the witness in English.  
11 Otherwise we're not going to have a record of what  
12 you are saying.

13 MR. STEINER: I said for a cigarette,  
14 bathroom, or whatever, ask for a recess.

15 THE WITNESS: Some words I have a  
16 problem with, I won't be able to say in English.

17 BY MR. HILL:

18 Q. Let's do it this way.

19 Since we don't have a certified translator  
20 here today, since we don't have a videotape I'm  
21 going to ask Mr. Steiner to only speak English to

1 Q. How long did you live in Brooklyn?

2 A. Four years.

3 Q. Where did you move after you left  
4 Brooklyn?

5 A. Baltimore.

6 Q. How long did you reside in Baltimore?

7 A. Five years.

8 Q. Where did you move after Baltimore?

9 A. Moved to Ginot Shomron.

10 Q. Then you lived in Ginot Shomron until you  
11 moved as you described earlier today, correct?

12 A. Yes.

13 Q. Do you have an American social security  
14 number?

15 A. Yes.

16 Q. What is it?

17 A. I don't know.

18 Q. Have you ever paid any taxes to the  
19 American government?

20 A. No.

21 Q. What are the names of your parents?

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1 you and if there is a need for a word that you don't  
2 understand, tell me and we'll try and come up with  
3 another word.

4 A. All right.

5 Q. What is your current address?

6 A. I [REDACTED].

7 Q. How long have you lived at that apartment?

8 A. 18 months.

9 Q. What was your address prior to that?

10 A. Before that? I [REDACTED]  
11 [REDACTED].

12 Q. Where did you live before that?

13 A. Before that I lived in a different place  
14 in Hod HaSharon.

15 Q. How about before that?

16 A. Ginot Shomron.

17 Q. When you lived in Ginot Shomron was that  
18 the time you were living with your mother?

19 A. Yes.

20 Q. Where were you born?

21 A. Brooklyn.

1 A. Ginette and Michael.

2 Q. The last name is?

3 A. Thaler.

4 Q. Do you have any siblings?

5 A. Yes.

6 Q. How many?

7 A. I have a half brother, Yitzhak Zvi, and my  
8 sister that was killed, Rachel.

9 Q. Have you ever been married?

10 A. No.

11 Q. Do you have any children?

12 A. No.

13 Q. Of what country or countries are you a  
14 citizen?

15 A. England, America, and Israel.

16 Q. What languages other than English do you  
17 speak?

18 A. Hebrew.

19 Q. Are you currently employed?

20 A. No.

21 Q. I'd like to go over your educational



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1 BY MR. HILL:

2 Q. Which grandmother?

3 A. My mother's.

4 Q. What was her name?

5 A. Angela.

6 Q. What mental illness was your grandmother  
7 Angela diagnosed as having?

8 A. I have no idea.

9 Q. Do you know if anyone else in your family  
10 has ever been diagnosed as having a mental illness?

11 A. No.

12 MR. STEINER: Objection.

13 BY MR. HILL:

14 Q. Have you ever heard whether your father  
15 Michael was diagnosed as having a mental illness?

16 MR. STEINER: Objection.

17 THE WITNESS: No.

18 BY MR. HILL:

19 Q. Have you ever heard that your mother has  
20 been diagnosed with having a mental illness?

21 A. My mother hasn't.

1 I would, therefore, ask that those

2 records be searched for if they are within his  
3 possession, custody, or control and be produced.4 MR. STEINER: We will take it under  
5 advisement and ask for you to please follow up in  
6 writing.

7 BY MR. HILL:

8 Q. Mr. Thaler, you were present on  
9 February 16, 2002 at an explosion in Kamei Shomron,  
10 correct?

11 A. Correct.

12 Q. Did you see the person or persons who were  
13 responsible for causing the explosion before it took  
14 place?

15 A. No.

16 Q. You were unable to identify the person or  
17 persons who was responsible for that explosion?

18 MR. STEINER: Objection.

19 THE WITNESS: I was looking to the  
20 other side.

21 BY MR. HILL:

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1 Q. Your mother has not?

2 A. No.

3 Q. Have you ever heard whether Zvi has been  
4 diagnosed as having a mental illness?

5 A. No.

6 Q. Have you ever heard whether Isaac has been  
7 diagnosed as having a mental illness?

8 A. No.

9 MR. HILL: Let's take a break here  
10 because I'm going to get into a new area.11 (Whereupon, a recess was taken from  
12 10:08 a.m. to 10:18 a.m.)13 MR. HILL: Mr. Steiner, I believe we  
14 have received some, but not all, the records  
15 associated with the psychological and psychiatric  
16 treatment that Mr. Thaler has described as a result  
17 of the court order, with Eyal, with Dr. Kronenberg,  
18 and at the Ger Hospital.19 I also don't believe we've received the  
20 records associated with his rehab that he's  
21 previously described.1 Q. At the time of the blast you were facing  
2 away from the source of the blast, correct?

3 A. My face was looking to the left.

4 Q. You were not able to observe the person  
5 who caused the blast before it took place, right?

6 A. No.

7 Q. You are agreeing with me?

8 A. What?

9 Q. You did not see the person before the  
10 blast?

11 A. Right.

12 Q. Did you see Keren Shatsky after the blast  
13 that day?

14 A. No.

15 Q. Did you see your sister Rachel after the  
16 blast that day?

17 A. No.

18 Q. Did you see Ronit Trattner after the blast  
19 that day?

20 A. No.

21 Q. Did you see Hillel Trattner after the



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1 blast that day?

2 A. No.

3 Q. Did you lose consciousness at the time of  
4 the blast?

5 A. No.

6 MR. STEINER: Objection.

7 MR. HILL: What's the objection?

8 MR. STEINER: To the medical  
9 definition of "conscious," the witness'  
10 understanding of it.

11 BY MR. HILL:

12 Q. Do you believe you were awake after the  
13 explosion took place or was there a period of time  
14 you were blacked out?

15 A. What?

16 Q. Do you believe that you were continuously  
17 awake after the blast?

18 A. Yes.

19 Q. Your testimony is to the best of your  
20 recollection you do not believe that you blacked out  
21 at the time of the blast?

1 and then lost consciousness, is that right?

2 A. I didn't lose conscious. I just blacked  
3 out.

4 Q. At what point did you again become awake?

5 A. On and off.

6 Q. Can you recollect being put into an  
7 ambulance?

8 A. Yes.

9 Q. Can you recollect traveling in an  
10 ambulance?

11 A. Yes.

12 Q. Can you recollect arriving at the  
13 hospital?

14 A. Yes.

15 Q. At some point I understand you had surgery  
16 at the hospital?

17 A. Yes.

18 Q. I assume that you were unconscious for the  
19 surgery?

20 A. Yes.

21 Q. Do you recollect the names of any of the

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1 A. I flew back and I got up straightaway.

2 Q. After the blast took place did anyone  
3 attend to your injuries on the scene?

4 A. Yes.

5 Q. Do you know the name of the person or  
6 persons who helped you?

7 A. No.

8 Q. Were these like paramedics?

9 A. Yes.

10 Q. Then I understand you were transported to  
11 the hospital, is that correct?

12 A. Yes.

13 Q. Can you remember being awake from the time  
14 of the blast until you arrived at the hospital?

15 A. No.

16 Q. At what point in time do you believe you  
17 may have lost consciousness?

18 MR. STEINER: Objection.

19 THE WITNESS: After a few minutes.

20 BY MR. HILL:

21 Q. So you were awake for a while on the scene

1 people that treated you that day?

2 A. No.

3 Q. Could you describe for me generally the  
4 nature of the injuries you sustained that day?

5 A. Nails and shrapnel all over my body, nails  
6 and shrapnel inside my gall bladder, took out my  
7 gall bladder. That left an infection somewhere  
8 inside.

9 My ear was ripped partly. My eardrum burst  
10 totally. Burns, second degree on my body, and one  
11 degrees.

12 Q. You do not appear to me to have any  
13 scarring. There is no video camera here. Do you  
14 believe you have scarring?

15 MR. STEINER: Objection.

16 The record should reflect that the  
17 witness is sitting with his sleeve rolled up to his  
18 right elbow and on his right forearm there is a  
19 clearly visible scar.

20 THE WITNESS: Scars all over my body  
21 that you could see.



1 is about the injuries, physical and psychological, I  
2 received and what happened to me because my sister  
3 and my best friend died.

4 Do you remember being asked that question  
5 and giving an answer like that?

6 A. Yes.

7 Q. Can you explain to me what effect on you  
8 the death of Rachel has caused, how you feel about  
9 that today?

10 A. Of course. In the beginning it didn't  
11 bother me. We weren't good friends. We didn't like  
12 each other.

13 With time, growing up without a sister  
14 became a big issue, very sensitive for me.

15 I do miss her. I want her to be here. It's  
16 a big shame that she is not here.

17 Mentally it did a lot of, lot of, lot of  
18 issues basically, makes me regret all the stuff I  
19 said about her, all the stuff I did to her.

20 Mentally it changed everything.

21 MR. STEINER: Thank you.

1 sister.

2 Q. You mentioned that you had told your  
3 mother that you felt like she cared more about her  
4 dead daughter than her living sons, is that right?

5 A. Yes.

6 Q. When did you say that to her?

7 A. Plenty of times.

8 Q. At the time you said that did you believe  
9 it to be true?

10 A. Yes.

11 MR. HILL: I don't have any further  
12 questions.

13 MR. STEINER: Nothing else.

14 (Deposition adjourned at 11:39 a.m.)

1 RE-DIRECT EXAMINATION:

2 BY MR. HILL:

3 Q. You mentioned that you had regrets about  
4 stuff you said to Rachel.

5 What is it you are thinking of that you  
6 regret saying to her now?

7 A. Cursing her, also after the attack, it  
8 didn't bother me that she died, giving pain to my  
9 mother, telling her all kind of stuff like she cares  
10 more about her dead daughter than her living sons,  
11 stuff I said that hurt my mother mostly. I miss my  
12 sister at the end of everything.

13 Q. Anything else that you are thinking of  
14 that you said that you regret saying in connection  
15 with Rachel other than what you just told me?

16 A. A lot of stuff but nothing that pops to my  
17 mind right now.

18 Q. You said you also regret stuff you did  
19 relating to Rachel. What do you mean by that?

20 A. Hitting her, fighting with her, not  
21 getting along together, being a nasty teenager to my

## 1 Reporter's Certificate

2  
3 I, the undersigned, Certified Court Reporter,  
4 do hereby certify that the foregoing transcript of  
5 testimony was taken by me in stenotype and  
6 thereafter reduced to print under my direction,  
7 that said transcript is a full, true and  
8 substantially accurate record of the proceedings,  
9 to the best of my ability.

10 I do further certify that I am neither counsel  
11 for, related to, nor employed by any of the parties  
12 to the action in which this deposition was taken;  
13 and, further, that I am not a relative or employee  
14 of any attorney or counsel employed by the parties  
15 hereto, nor financially or otherwise interested  
16 in the outcome of the action.

17  
18 /s/ Michael Feuer

19  
20 Certified Realtime Reporter



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## 1 Certificate of Deponent

2 I hereby certify that I have read and  
 3 examined the foregoing transcript, and the same  
 4 is a true and accurate record of the testimony  
 5 given by me.

6 Any additions or corrections that I feel  
 7 are necessary I will attach on a separate sheet  
 8 of paper to the original transcript.  
 9

10  
 11 \_\_\_\_\_  
 Signature of witness

12 I hereby certify that the individual  
 13 representing him/herself to be the above named  
 14 individual, appeared before me this \_\_\_\_\_  
 15 day of \_\_\_\_\_ and executed the above  
 16 certificate in my presence.  
 17  
 18  
 19  
 20

21 \_\_\_\_\_  
 Notary Public

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1  
 2 Errata Page of Deponent

3 Please note any errors on this sheet. The  
 4 reasons may be general, such as "to correct  
 5 stenographic error" or "to clarify the record."  
 6 When completed, send this page to the attorney  
 7 who took your deposition, NOT the court reporter.  
 8 Page Line Correction Reason For Change  
 9

# Exhibit 12





DEPARTMENT OF STATE  
FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

# Certification of Birth Abroad

of a Citizen of the United States of America

*This is to certify that according to records on file in this Office*

EFRAAT TRATTNER

Sex FEMALE was born at PETAH TIKVA, ISRAEL  
on [REDACTED], 1983 Report of birth recorded on APRIL 29, 1985

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of the Consular Service of the United States of America at TEL AVIV, ISRAEL

this 29TH day of APRIL 19 85.

(SEAL)

STUART SELDOWITZ

VICE CONSUL

of the United States of America

WARNING: This certificate is not valid if it has been altered in any way whatsoever or if it does not bear the raised seal of the office of issuance.

# Exhibit 13



